United Nations A/HRC/28/NGO/4

General Assembly

Distr.: General
18 February 2015

English only

Human Rights Council
Twenty-eighth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Human Rights Advocates Inc., a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[09 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.15-02839 (E)

1502839

Please recycle

Right to Culture: Necessary for Continued Post-MDG Goals

Following the initiation of the Millennium Development Goals (MDGs), many individual actors as well as nations have encouraged the importance of culture as both the driver and the product of development. Additionally, the Special Rapporteur on the Right to Culture has spoken extensively on the right to culture, and country's memorialization of history through textbooks.[1] The Right to Culture can not only drive sustainable development, but also serves as an important tool influencing how citizens understand and respect their culture and cultural differences, for these reasons the Human Rights Council should renew the mandate of the Special Rapporteur and recommend that culture be included in the agenda for the post-MDGs.

This statement will cover two examples.

I.The Mandate Should Be Renewed because Culture is a Driver and a Goal of Sustainable Development.

Culture is a path out of poverty through sustainable development. A "one-size-fits-all" development approach will never be appropriate; however, culture as a driver for development uses the unique attributes and knowledge of each culture. It fosters participation in development at the lowest, local levels of a society and creates a more balanced and meaningful development model for the people and by the people.

Culture has become increasingly important to sustainable development at most levels of development planning. In fact, it is an increasingly self-identified factor for development in many countries. In 2008, culture was mentioned in fewer than 30 per cent of the United Nations Development Assistance Frameworks (UNDAFs); however, in 2013 culture's importance is highlighted in more than 70 per cent of UNDAFs.[2]

In particular, travel and tourism has been experiencing a period of unprecedented growth and is one of the leading economic sectors. With over one billion international tourists in a single year, tourism represents 9% of world gross domestic product (GDP); 30% of total exports and services; and one out of eleven jobs across the globe.[3] The World

---

[1] Special Rapporteur on Right to Culture, Cultural Rights, U.N. Doc. A.68/296 (Aug. 9, 2013), at http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N13/422/91/PDF/N1342291.pdf?OpenElement.

[2] Culture in the Post-2015 Sustainable Development Agenda Why Culture is Key to Sustainable Development. http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/images/Post2015SustainableDevelopmentAgendaENG.pdf.

[3] GA Thematic Debate: Culture Deserves Recognition in the Post-2015 Agenda. http://www.un-ngls.org/spip.php?page=article_s&id_article=4441.

Bank has found that in some of the poorest countries in the world, 25% of tourism revenue goes to people who live on less than US$1.25 a day.[4]

Due to the continued growth of both culturally-based development projects and the importance of tourism, it is necessary that the post-MGDs include culture on the agenda so that sustainable development can be carefully managed.

Sustainable Development, Culture, and Cambodia

In post-conflict areas or areas that have been hit by disasters, such as Cambodia following the Khmer Rouge (KR) genocide, rehabilitating cultural heritage and encouraging cultural activities can help enable the communities concerned to rebuild their identities and regain a sense of normality, helping them to heal the scars of wars or catastrophes. One major example of this has been the rehabilitation of the site of Angkor in Cambodia, in which the international community has worked for over twenty years to help reunite a nation torn by the internal and regional conflicts.[5]

A. Sustainable Development, Culture, and the United States

The United States has been taking proactive steps in recognition of the threat that cultural expropriation and tourism can have on a country's cultural groups. Statutes, like the Native American Grave Protection and Repatriation Act (NAGPRA) and the National Museum of the American Indian Act (NMAI), were enacted to potentially repair the damages caused by colonization practices, as well as to celebrate the diversity of American heritage.[6]

By returning lost culture to its original owners and caretakers, communities can assert their right to maintain, exhibit, and control their cultural patrimony according to their customs. This reinforces the Special Rapporteur's mandate to sensitize institutions to diverse cultures by encouraging dialogue to resolve contentious issues of resolving ownership of history and culture.[7]

These laws are a positive step forward in providing regulations for the protection of culture, as well as providing positive examples of ways in which culture can stimulate the economy through tourism and education.

1. **Culture must be integrated in the post-2015 goals because textbooks and teaching history in post-conflict countries influence the experiences of citizens and their practice of culture.**

---

[4]: Andrew Holden, Tourism, Poverty and Development (Routledge, 2013).

[5] UNESCO, Conservation and Restoration of Angkor War Temple, http://www.unesco.org/new/en/phnompenh/culture/tangible-heritage/conservation-and-restoration-of-angkor-wat-temple/

[6] National Museum of the American Indian, Repatriation, http://nmai.si.edu/explore/collections/repatriation/.

[7] Carole E. Goldberg, A United States Perspective on the Protection of indigenous Cultural Heritage (Edward Elgar Publishing Ltd., 2012).

Most, if not all, societies today face challenges in writing and teaching history, in particular countries that have seen international or internal conflicts in their past; including post-colonial societies; societies that have experienced slavery; and societies challenged by cultural divisions. The Special Rapporteur considers the issue from the perspective of the right of all persons to have access to cultural heritage, based in particular on article 15 (1) (a) of the International Covenant on Economic, Social and Cultural Rights.[8]

The ability of people to have access to and have their own cultural heritage and that of others acknowledged. Having access to information and education and to develop critical thinking and an understanding of the realities and perspectives of others is a right owed to all people, and understanding history is key to developing a tolerant society. History is an academic discipline based on rigorous and systematic research of historical sources using confirmed methods and providing ascertainable results, and should be treated as such.

A. History and Memorialization, Culture, and Cambodia

Understanding history enables people, especially the young generations from countries that have experienced conflict, to better understand their cultural heritage as well as creating tolerance for other cultures. However, this vitally and emotionally sensitive issue remains largely absent from school curriculums in Cambodia.

Research shows that young generations know very little about the history of the KR, and many young Cambodians do not believe that their parents and relatives experienced such hardship and suffering during that period. In addition, the Cambodian Ministry of Education, Youth and Sports claims that it lacks resources to teach the history of the Cambodian genocide. Moreover, teachers lack training to teach effectively about genocide.[9]

During the 1980s, Cambodian school children were taught about the KR in politically charged ways. The Cambodian society prioritized economic recovery and the KR genocide became a folktale for Cambodians who were born after the regime. After 1993, the issue of KR genocide was removed from the school curriculum for reconciliation and political stability. [10] In 2002, the Cambodian government ordered the withdrawal of a section of Cambodian modern history between 1953 to the 1998 national elections, which included the KR.[11]

---

[8] International Covenant on Civil and Political Rights, Dec. 16, 1966, 999 U.N.T.S. 171; S. Exec. Doc. E, 95-2 (1978).
[9] Khamboly Dy, "Challenged of Teaching Genocide in Cambodian Secondary Schools" Policy and Practice: Pedagogy about the Holocaust and Genocide Papers (2013).
[10] Yair Auron, The Pain of Knowledge: Holocaust and Genocide Issues in Education (Transaction Publishers, 2005).
[11] Pin Sisovann, "Prime Minister Orders Recall of Textbooks," The Cambodia Daily, April 29, 2002.

The Documentation Center of Cambodia established the Genocide Education Project. The aim of the project is to provide the tools necessary for teachers and the Ministry to education to properly teach Cambodians about the KR.[12] The result is the hundred-page textbook, "A History of Democratic Kampuchea." Copies of the book were distributed and were well received by students, teachers, researchers and the public. Two hundred fifty-nine secondary schools throughout the country received one thousand five hundred copies.

B. History and Memorialization, Culture, and the United States

According to the National Assessment of Educational Progress, the federally administered test results released in June 2011, the area in which U.S. students perform most poorly is U.S. history. According to the results, only 12 percent of high school students were proficient in U.S. history. [13]

In terms of history education, the United States faces two problems. First, as the Nation's Report Card indicates, students know very little history.[14] Second, much of what is included is extremely partial or even incorrect, including the notion that Moses and Solomon inspired American democracy and that in the era of segregation schools for black children were only "sometimes lower in quality."[15]

History, and history textbooks are not treated as scientific documents or tools for academic endeavors. Instead textbooks are written to shape the opinions of students, not to encourage free development of their own opinions.

II. Recommendations

Human Rights Advocates urges the Human Rights Council to:

1. Renew the mandate of the Special Rapporteur on culture; and,
2. Request that the General Assembly include the right to culture in the post-MDG Goals.

---

[12] Khamboly Dy, "Teaching Genocide in Cambodia: Challenged, Analyses, and Recommendations" http://www.hurights.or.jp/archives/pdf/education12/hreas-12-12-cambodia.pdf.

[13] Kuznick, Peter, "The Problem with America's Textbooks," Huffington Post. http://www.huffingtonpost.com/oliver-stone/the-problem-with-america-history_b_2059593.html.

[14] Long, Cindy, Stagmant NAEP Scores Indicate Need for More Education," http://neatoday.org/2014/05/09/stagnant-naep-scores-indicate-need-for-more-education-resources/.

[15] Strauss, Valerie, "Proposed Texas textbooks are inaccurate, biased, and politized, new report finds" Washington Post. http://www.washingtonpost.com/blogs/answer-sheet/wp/2014/09/12/proposed-texas-textbooks-are-inaccurate-biased-and-politicized-new-report-finds/.